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INTERNATIONAL MARITIME ORGANIZATION (1948-2018): FROM ESTABLISHMENT TO THE 70TH ANNIVERSARY

The idea of establishment of the international organization, concerning issues of shipping, was proposed at the end of the XIX century by well-known lawyer and scholar P. Kazansky, who wrote in his fundamental scientific work entitled "The General Administrative Unions of States" that, as "shipping is one of international interests of the worldwide character in the truest sense of the word, it would be well to establish international commission or union, responsible for: marine security police, outlaws' and pirates' prosecution, etc.; cleaning of marine ways from mass of floating shipwrecks' remains, waste and other things; arrangement of warning signs; assistance people in perils; illumination of the main worldwide ways by beacons and other lights..., gathering information about wrecked ships; care for distressed foreign seafarers; sea studies; construction of new ways; publishing different data about shipping" [1].

This idea was actually realized in the Agreement for the Establishment of a Provisional Maritime Consultative Council, adopted by the United Maritime Consultative Council on 30 October 1946 in Washington (the Project of the Charter of the Organization ("Washington Project") was attached to this Agreement) [2].

In March 1947 the Resolution "Proposed establishment of inter-governmental maritime organization" [3] was approved, in which ECOSOC requested the Secretary-General to convene a Conference of interested Governments to consider the establishment of an intergovernmental maritime organization. The aforementioned "Washington Project" was supposed to serve as a basis for discussion about scope and purposes of the organization. The conference also had to consider if the purposes of

the organization should include the removal or prevention of unfair restrictive practices by shipping concerns. All the Members of the United Nations (the UN) and other States, which have not been yet Members of the Organization, were invited to participate in the Conference.

The International Conference had been taking place in Geneva from the 19th of February to 6th of March 1948. Nine international organizations and 32 states (Argentina, Australia, Belgium, Brazil, Canada, Chile, China, Colombia, Czechoslovakia, Denmark, Dominical Republic, Egypt, Finland, France, Greece, India, Ireland, Italy, Lebanon, Netherlands, New Zealand, Norway, Pakistan, Panama, Peru, Poland, Portugal, Sweden, Switzerland, Turkey, Great Britain and USA) took part in that event.

A lot of disagreements appeared between states during the discussion about establishment of the Organization at the Conference. For example, Nordic countries insisted that the new organization should be competent to solve technical matters, and issues related to economy, should be dealt by regular trade channels or by committees or subcommittees of ECOSOC. Disagreements also arose between participating states of the conference, which were owners of large fleets, and other states.

At the same time, despite disagreements between participants of the conference, on 6 March 1948 the Convention establishing the Inter-Governmental Maritime Consultative Organization (IMCO) was adopted.

In order to begin the activity of IMCO immediately after the entry into force of the Convention, the Preparatory Committee was created. It had been intended to convene the First Session of the IMCO Assembly three months after the entry of the Convention on IMCO into force.

The convention provided for entry into force "on the date when 21 States, of which seven shall each have a total tonnage of not less than 1,000,000 gross tons of shipping, have become Parties to the Convention". On 17 March, 1958, Egypt became the 21st State to accept the IMO Convention and it finally entered into force.

In this matter, in 2018 the International Maritime Organization celebrates two anniversaries: 70 years since the Convention establishing the Organization was adopted, and 60 years from the date, when it came into legal force.

The initial name of the Organization – Inter-Governmental Maritime Consultative Organization (IMCO) was changed in 1982 into International Maritime Organization (IMO). It should be noticed, that the Organization was not just renamed, this new title symbolized the increasing importance of the Organization in the creation and implementation of the rules of international maritime law.

The early informal texts for negotiations, prepared for the III UN's Conference on Maritime Law, already contained references to a competent international organization, which had to perform different functions, including implementation of different International Conventions and creation of rules and standards, concerning safety of human life at Sea and protection of the marine environment from pollution.

IMCO was the sole organization which was able to deal with those tasks, but it was clear, that the Organization was obscure and understanding about its activity was wrong in most cases. Subsequently, a number of studies have confirmed that the main hesitation/misconception was in the name of the Organization: the term “intergovernmental” generated mistrust and suspicions, while the term “consultative” was construed as such that limited authority and responsibility of the Organization [4]. Taking into account all these matters, it was proposed to change it's name in 1975, the proposal was approved during the 9th session of the Assembly by the Resolution A 358(IX) dated 14th of November 1975 (Amendments came into force on the 22nd of May 1982) [5].

It should be noted that International Maritime Organization was and still is the most important element in the system of the international management in the maritime field.

IMO is responsible for increase of reliability and ensuring security of shipping in the field of international trade and prevention of pollution from ships. IMO also

provides mechanisms for cooperation between states for creation of regulations and rules concerning technical matters, which have an effect on international shipping, and also for protection of the marine environment.

At the present time about 50 Conventions and Agreements and approximately 1000 of Codes and Recommendations, created by IMO, are the foundation for regulation of the law and order in the Global Ocean.

List of references:

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3. Resolutions adopted by the Economic and Social Council during its 4th session, 28 February-29 March 1947. – E/437. – 1947. – p. 51.
4. Amendments to the IMCO Convention: IMO Doc. Resolution A.358(IX), 14 Nov. 1975 [E-source] // International Maritime Organization. Mode of access: [http://www.imo.org/blast/blastDataHelper.asp?data_id=22181&filename=A358\(IX\).pdf](http://www.imo.org/blast/blastDataHelper.asp?data_id=22181&filename=A358(IX).pdf)